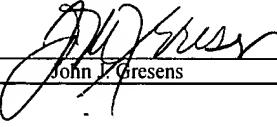


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PERRICAUDET Examiner: Unknown
Serial No.: 09/454737 Group Art Unit: 1633 FEB 8 2000
Filed: December 6, 1999 Docket: 8076.85USC1
Notice of Na Batch No.: Na
Allow. Date:
Due Date: March 6, 2000
Title: VIRAL RECOMBINANT VECTORS FOR EXPRESSION IN MUSCLE CELLS

TECH CENTER 1600/2900

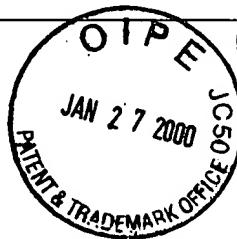
CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Box MISSING PARTS Assistant Commissioner for Patents, Washington, D.C. 20231, on January 19, 2000.

By: 
John J. Gresens

Box MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:



- Transmittal Sheet in duplicate containing Certificate of Mailing
- Signed Combined Declaration and Power of Attorney
- Other: Communication Regarding Erroneous Notice to File Missing Parts of Application; Copy of Notice to File Missing Parts
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
3100 Norwest Center, Minneapolis, MN 55402
(612) 332-5300

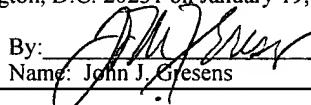
By: 
Name: John J. Gresens
Reg. No. 33,112
JJG/sef

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|-----------------|-------------|
| Applicant: | PERRICAUDET | Examiner: | UNKNOWN |
| Serial No.: | 09/454737 | Group Art Unit: | 1633 |
| Filed: | December 6, 1999 | Docket No.: | 8076.85USC1 |
| Title: | VIRAL RECOMBINANT VECTORS FOR EXPRESSION IN MUSCLE CELLS | | |



CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 19, 2000.

By: 
Name: John J. Gresens

COMMUNICATION RE: ERRONEOUS NOTICE TO FILE MISSING PARTS OF APPLICATION

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

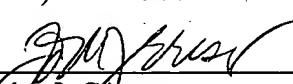
In connection with the above-identified application, attached please find a copy of the Notice to File Missing Parts of Application. This document has been issued in error as the Combined Declaration and Power of Attorney was filed with the application on December 6, 1999. We have received the return postcard acknowledging receipt of this item and have attached a copy of it and the Combined Declaration and Power of Attorney as filed. In a phone conversation on January 19, 2000 with the Initial Patent Examination Division, a copy of the Combined Declaration and Power of Attorney was found in the file.

The surcharge of \$130.00 has not been enclosed and is not required since the Declaration was filed the same day as the filing of the application pursuant to 37 C.F.R. 1.16(e).

If it is determined that there is a statutory date where a response has not been filed the necessary fees should be charged to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.
3100 Norwest Center
90 South 7th Street
Minneapolis, MN 55402
(612) 332-5300

Dated: January 19, 2000

By: 
John J. Gresens
Reg. No. 33,112
JJG/sef



Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

M&G 8076.85USCT Applicant: PERRICAUDER et al.
Express Mail #: EL435540452US
Date of Deposit: December 6, 1999

- A request for filing a continuation application under 37 CFR § 1.53(b)
- The copy of the prior application is as follows: 10 pages of specification, 9 claims, 1 pages of abstract, 1 sheets of drawings, and 8 pages of oath or declaration. Also enclosed is a copy of the English Translation of the prior application and verification.
- Attached is a check in the amount of \$760.00
- A set of formal drawings (1 sheets) is enclosed.
- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Patent Application

MTS:PST/slc





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO/TITLE |
|---|---------------------|-----------------------|--------------------------|
| 09/454,737 | 12/06/99 | PERRICAUDET | N.T. 8076.85USC1 |
| | | 0222/0106 | ONE |
| MARK T ENKLOG MERCHANT & GOULD PL 3100 NORWEST CENTER 90 SOUTH SEVENTH STREET MINNEAPOLIS MN 55402-4131 | | 1633 | NOT ASSIGNED |
| | | DATE MAILED: | 01/06/00 |

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a surcharge is:

small entity (statement filed) non-small entity is \$ 120

1. The statutory basic filing fee is:

- missing
 insufficient

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ _____ for total claims over 20.

\$ _____ for independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

10/24/2000 PHILSON
02702/2000 10001 00000140 132725 09454737
Customer Service Center 130.00 CR
Initial Patent Examination Division (703) 308-1202

00000000 132725 09454737

130. CR
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